

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

WENDY DAVIS; MARC VEASEY;
ROY BROOKS; VICKY BARGAS;
PAT PANGBURN; FRANCES DELEON;
DOROTHY DEBOSE; and SARAH
JOYNER

Plaintiffs

v.

RICK PERRY, in his official capacity
as Governor of the State of Texas;
JOHN STEEN, in his official
capacity as Secretary of State of the
State of Texas; BOYD RICHIE, in his
official capacity as Chair of the Texas
Democratic Party; and STEVE MUNISTERI,
in his official capacity as Chair of the
Republican Party of Texas

Defendants

CIVIL ACTION NO.
SA-11-CA-788-OLG-JES-XR
CONSOLIDATED ACTION
[Lead case]

FINAL JUDGMENT

This Court previously ORDERED, ADJUDGED and DECREED:

that Plaintiffs' request for declaratory relief was granted to the extent that Senate plan S100, the benchmark plan, violates the one-person, one-vote requirements of the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution and will not be used for any further elections;

that Plaintiffs' request for injunctive relief was granted such that Senate plan S148, the 2011 enacted plan, has been permanently enjoined from implementation and no elections have been or will be held thereunder; and

that Plan S172, which was reviewed under the standard set forth in *Perry v. Perez* and restored district 10 to near benchmark configuration and remedied the constitutional infirmities being asserted by Plaintiffs, was to be used for the 2012 election.

It is further ORDERED, ADJUDGED and DECREED:

that because (1) Plan S148 has been repealed, (2) Plaintiffs agree that Plan S172 does not violate the Voting Rights Act or the Constitution, and (3) Plaintiffs do not seek any further relief with regard to Plan S148, Plaintiffs' remaining claims under § 2 of the Voting Rights Act and the Constitution are DISMISSED AS MOOT; and

that, as prevailing parties, Plaintiffs are awarded their reasonable attorneys' fees and costs.

Pursuant to Fed.R.Civ.P. 54(d)(2) and W.D. Tex. Rule CV-7(j), Plaintiffs may file their applications for attorneys' fees and costs no later than twenty days after entry of judgment. If the application is opposed in whole or in part, a response in opposition shall be filed no later than ten days after the filing of the application.

SIGNED AND ENTERED this 4th day of September, 2013.

____/s/_____
JERRY E. SMITH
UNITED STATES CIRCUIT JUDGE

____/s/_____
ORLANDO L. GARCIA
UNITED STATES DISTRICT JUDGE

____/s/_____
XAVIER RODRIGUEZ
UNITED STATES DISTRICT JUDGE